

REGULAR MEETING AGENDA

Wednesday, October 16, 2013 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

CONTINUATION OF PUBLIC HEARING

Opened on September 18, 2013 and immediately continued to tonight, October 16, 2013 at the applicants' request. Since no testimony, comment, or additional information was provided to

the ZBA on September 18th, the seated ZBA panel for this request is those members present tonight. This hearing must be completed by October 23, 2013 (within 35 days after their September 18th opening).

CALENDAR NO. 55-2013

The application of Wilder G. Gleason Esq. and Gleason & Associates LLC on behalf of Michael & Elizabeth DeSanctis submitted on August 14, 2013 for a variances of Section 416 of the Darien Zoning Regulations; to allow the raising of the existing residence with modification entry staircases, terrace and deck features, and the construction of second story, attic and deck features; Section 416: 11.0 in lieu of 18.5 feet minimum required north side yard setback; 11.3 in lieu of 18.8 feet minimum required south side yard setback; 22.3 in lieu of 30.0 total of two side yard setbacks; on a lot with 22.5 in lieu of 20.0% maximum allowable coverage. The property is located on the east side of Plymouth Road approximately 300 feet south of the northern intersection of Plymouth Road and Baywater Drive and is shown on Assessor's Map #55 as Lot #76, being 9 Plymouth Road and located in the R-NBD (Noroton Bay District – Residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 50-2013

The application of Scott Church submitted on September 11, 2013 for an interpretation of Section 385 and a variance of Section 334 of the Darien Zoning Regulations; to allow the construction of a replacement two and one-half story dwelling; Section 385: a determination that the subject lot is a legal nonconforming building lot with 59,491 in lieu of 87,120 square feet minimum required lot size and 180.0 in lieu of 200.0 feet minimum required lot width, and can be properly developed with adequate related site improvements; and Section 334: construction on a portion of the lot with 180.0 in lieu of 200.0 feet minimum required lot width. The property is situated on the south side of Blueberry Lane approximately 1,200 feet southwest of the east intersection with Ox Ridge Lane and is shown on Assessor's Map #7 as Lot #28, being 27 Blueberry Lane and located in an R-2 (residential) Zone.

CALENDAR NO. 57-2013

The application of Cristian Lanza and Max Parangi Architects on behalf of Joseph Syku submitted on September 16, 2013 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 15.6 in lieu of 21.2 feet minimum required northwest side yard setback, 4.8 in lieu of 15.2 feet minimum required southeast side yard setback, and 20.4 in lieu of 25.0 feet minimum total of two side

yards setback. The property is situated on the southwest side of Crimmins Road approximately 500 feet south of the intersection of Crimmins Road and Park Place and is shown on Assessor's Map #41 as Lot #121, being 15 Crimmins Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 58-2013

The application of Mark S. Lebow and William W. Seymour on behalf of Julia Elicks Davis submitted on September 18, 2013 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a front door cover, the widening of the landing stoop, and modification of the entry stairs; Section 406: 4.2 in lieu of 30.0 feet minimum required front yard setback and 28.7 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Wakemore Street. The property is situated on the south side of Wakemore Street approximately 750 feet east of the intersection of Hoyt Street and Wakemore Street and is shown on Assessor's Map #8 as Lot #238, being 31 Wakemore Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 61-2013

The application of David A. Dever and Darien Boat Club, on behalf of Town of Darien submitted on September 18, 2013 for variances of Sections 386 and 820 of the Darien Zoning Regulations, to allow the reconstruction and/or replacement of the one story building and deck with related equipment; Section 386: restoration of damaged structures and/or equipment that exceeds 50% of their fair market value without being made to conform with all the regulation standards; and Section 820: reconstruction/replacement and substantial improvement of features located as low as elevation 5.9 in lieu of elevation 17.0 feet minimum required elevation in the VE 15 flood zone. The property is situated on the west side of Pear Tree Point Road adjacent to the Pear Tree Point Beach property 800 feet south of the intersection of Pear Tree Point Road and Crane Road and is shown on Assessor's Map #60 as Lots #43, 44 and 45, being 135 Pear Tree Point Road and located in an R-1 (residential) Zone.

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise, ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community.

1. Approval of Minutes of meeting on September 11, 2013. ZBA members attending this meeting were Chuck Deluca, Jeff Williams, Ruth Anne Ramsey, John Ashburne, Rich Wood, and Vic Capellupo.
2. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/ guidelines/ staff questions, project fit relative to neighbor properties, supervision/ inspection of construction projects, and/or requested changes.
3. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).